

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ NoUnited States Courts
Southern District of Texas
FILED

APR 03 2023

Nathan Ochsner, Clerk of Court.

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☒

Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☒

Official capacity

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
-

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

HCC

June 24, 2013

- B. What date and approximate time did the events giving rise to your claim(s) occur?

June 24, 2013

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I was extorted on, a false statement
was rose against me, By leaving
the cameras At Houston Community College

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

Defendant No. 3

Name

M. Levene

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)



Individual capacity



Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

4 Amendment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Extortion - Hobbs Act
 Alleged school - but misled me so mis-conduct

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

will state in a Amended Claim

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

will state in a Amended Claim

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

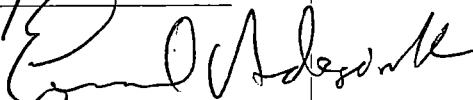
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

3/25/2023

Signature of Plaintiff

Printed Name of Plaintiff


 Emmanuel Adekunle
B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

THE STATE OF TEXAS
VS.

EMMANUEL ADEWALE ADEYINKA
10811 RICHMOND AVE #18
HOUSTON, TX 77042

01634640
SPN:
DOB: BM 08/02/1980
DATE PREPARED: 6/27/2013

D.A. LOG NUMBER: 1971482
CJIS TRACKING NO.: 9168925832-A001
BY: CG DA NO: 002094892
AGENCY: HCC POLICE
O/R NO: 13007146
ARREST DATE: 06/27/2013

NCIC CODE: 4801 01

RELATED CASES:

MISDEMEANOR CHARGE: Evading Arrest or Detention

CAUSE NO:

1904293

BAIL: \$5000

PRIOR CAUSE NO:

HARRIS COUNTY CRIMINAL COURT AT LAW NO:

2

FIRST SETTING DATE:

07/05/13

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Before me, the undersigned Assistant District Attorney of Harris County, Texas this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, EMMANUEL ADEWALE ADEYINKA, hereafter styled the Defendant, heretofore on or about JUNE 24, 2013, did then and there unlawfully intentionally flee from M. LEVENE, hereafter styled the Complainant, a PEACE OFFICER employed by HOUSTON COMMUNITY COLLEGE POLICE lawfully attempting to DETAIN the Defendant, and the Defendant knew that the Complainant was a PEACE OFFICER and that the Complainant was attempting to DETAIN the Defendant.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Sworn to and subscribed before me on June 27, 2013


AFFIANT


ASSISTANT DISTRICT ATTORNEY
OF HARRIS COUNTY, TEXAS.

BAR NO.

Probable Cause found _____ Date _____ Capias to issue _____
Magistrate, Harris County, Texas

COMPLAINT

BOND: 5000

No. 190429301010

SPN: 01634640

The State of Texas

vs.

In the District Court

County Criminal Court at Law No. 002

Harris County, Texas

ADEYINKA, EMMANUEL ADEWALE, Defendant

08/02/1980, DOB

INS: MIN

PFG: O

PROBABLE CAUSE FOR FURTHER DETENTION & STATUTORY WARNINGS BY MAGISTRATE

Today, the above named defendant, charged with EVADING ARREST/DETENTION, appeared before the undersigned authority. (the Court) ☐ in person. ☒ by video teleconference.

All statements in bold should be addressed to defendant.

Do you request appointment of counsel? (check one)

☐ NO. The defendant did not request appointment of counsel.

☒ YES. The defendant requested appointment of counsel. The Court **ORDERS** the Office of Pre-Trial Services (PTS) to immediately assist defendant in preparing a request for appointment of counsel. PTS shall forward defendant's request to the judge of the court in which the case is pending within 24 hours.

If you are not a United States citizen, you may be entitled to have us notify your country's consular representative here in the United States. Do you want us to notify your country's consular officials? (check one)

☐ NO.

☒ YES. What country? . If you are a citizen of a country that requires us to notify your country's consular representative, we shall notify them as soon as possible.

☒ **MANDATORY NOTIFICATION. CLERK, NOTIFY** (Country) **CONSULATE.**

If you are a foreign national, please provide the following information:

Mr./Ms:
(father's name {surname}/ mother's maiden name / first name) Date of birth (mm/dd/yy)

Place of birth

Passport number Date of passport issuance Place of passport issuance

This proceeding was interpreted by: (Print name of interpreter)

ORDER

☒ The Court **FINDS** probable cause for further detention **DOES NOT EXIST**. Accordingly, in this case, the Court **ORDERS** the law enforcement agency/officer having custody of the defendant, to **immediately release** the defendant from custody.

☒ The Court **FINDS PROBABLE CAUSE** for further detention **EXISTS**. The Court set and/or reviewed the defendant's bond, and in clear and unambiguous language, the Court 1) advised defendant of his rights as enumerated in Article 15.17 of the Texas Code of Criminal Procedure and 2) provided him with information required by law. Accordingly, The Court **ORDERS** defendant **committed** to the custody of the Sheriff of Harris County, Texas. Defendant shall remain in the Sheriff's custody until he posts bail in this cause, or until further orders by the Court.

☒ Bail is set at \$ 5000 ☐ Personal Bond is: ☐ APPROVED ☒ DISAPPROVED ☐ REFERRED

06/28/2013

DATE/ TIME (Print)

JUDGE PRESIDING/ HEARING OFFICER

CAUSE NO. 1904293

THE STATE OF TEXAS

§

IN THE COUNTY CRIMINAL

V. Emmanuel Adewale Adeyinka
Defendant Name

§

COURT AT LAW NO. 02

§

HARRIS COUNTY, TEXAS

Charge: evading arrest / detention**CASE RESET FORM**Reset Date: The undersigned Defendant and Counsel acknowledge that this case is reset from 7-01-13to: 7-2-2013 at 9 AM☐ The State has offered:☐ The State and Defense agree as follows:

Attorney for State Signature

Defendant Signature

☐ On Bond☒ In Jail**Fines, Court Costs, and Restitution**

Fine: _____

Costs: _____

Total: _____

Restitution: _____

Attorney for the Defendant (print) M. Walker☐ Retained☒ Appointed

Attorney Bar # _____

Attorney SPN _____

Attorney Signature

Attorney Email Address

Attorney Telephone No.: 713 208 2611

Attorney Fax No.: _____

FOR COURT STAFF USE ONLYReset by: ☒ Defense ☐ Prosecution ☐ Court

Setting Reason:

☐ DISP☐ RDLH☐ PTMO☐ MAJ / MRPH☐ PNDC☒ ARRG☐ PLEA☐ DADH☐ PTCR☐ DISM☐ MCHJ☐ HEAR☐ SFJS☐ DADS☐ CTRL☐ SFBF☐ MCH☐ NTRL☐ MOTN☐ DADD☐ JTRL☐ Other _____☐ MCRH**Reason for Reset:**☐ To Hire Attorney☐ D.A. Chief Unavailable☐ Defendant On Call☐ Compliance MAJ / MRP☐ No Offense Report☐ D.A. Re-File As Felony☐ Defendant Has New Case☐ No MHMR Evaluation☐ No Video / Lab _____☐ D.A. Evaluate Case☐ Attorney Not Present☐ Complete Program:☒ RIP☐ Restitution Info☐ FELP☐ _____☒ File Unavailable☐ Refer to FCLD☐ Need Clearance Letter☐ Other: _____Setting Date Approved By: 2M/57-01-2013

Judge / Coordinator

Date Signed

THE STATE OF TEXAS

§

IN THE COUNTY CRIMINAL

vs.

§

COURT AT LAW NUMBER 2

Emmanuel Adeyinka

§

HARRIS COUNTY, TEXAS

TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL*

I, Judge of the trial court, certify this criminal case:

- ☐ is not a plea-bargain case, and the defendant has the right of appeal. [or]
☐ is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial and not withdrawn or waived, and the defendant has the right of appeal. [or]
☐ is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal. [or]
☒ is a plea-bargain case, and the defendant has NO right of appeal. [or]
☐ the defendant has waived the right of appeal.

[Signature]
Judge Presiding

JUL 02 2013
Date Signed

I have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a *pro se* petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeals' judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the court of appeals. Tex. R. App. P. 68.2. I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review.

[Signature]
Defendant

[Signature]
Defendant's Counsel

Mailing address:

State Bar of Texas ID Number:

Telephone number:

FILED
Chris Daniel
District Clerk
JUL 02 2013

Fax number (if any):

Time

By

Mailing address:

M. Jane Walker
917 Franklin, Suite 100
Houston, Texas 77002
walkerlawhouston@gmail.com
01978827 SPN 24037661 SBN
713.478.5484 Cell
713.224.301 Fax

Telephone number:

Fax number (if any):

*A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case that is, a case in which a defendant's plea was guilty or *nolo contendere* and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal. TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2).



CASE No. 190429301010
INCIDENT NO./TRN: 9168925832A001

THE STATE OF TEXAS

§
§
§
§
§
§
§

IN THE COUNTY CRIMINAL

P2

V.

COURT AT LAW NO. 2

ADEYINKA, EMMANUEL ADEWALE

HARRIS COUNTY, TEXAS

STATE ID No.: TX05784021

JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL

Judge Presiding: HON. WILLIAM HARMON

Date Judgment
Entered:

7/2/2013

Attorney for State: FOSS, MATT

Attorney for
Defendant:

WALKER, MEKISHA JANE

Offense for which Defendant Convicted:

EVADING ARREST/DETENTION

Charging Instrument:

INFORMATION

Statute for Offense:

N/A

Date of Offense:

5/24/2013

Degree of Offense:

CLASS A MISDEMEANOR

Plea to Offense:

GUILTY

Findings on Deadly Weapon:

N/A

Terms of Plea Bargain:

20DAYS HCJ/9DAYS CREDIT

Plea to 1st Enhancement

Paragraph: N/A

Plea to 2nd Enhancement/Habitual

Paragraph: N/A

Findings on 1st Enhancement

Paragraph: N/A

Findings on 2nd

Enhancement/Habitual Paragraph: N/A

Date Sentence Imposed: 7/2/2013

Date Sentence to Commence: 7/2/2013

Punishment and Place

of Confinement: 20 DAYS COUNTY JAIL

THIS SENTENCE SHALL RUN CONCURRENTLY.

☐ SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A .
Fine:

\$ N/A

Court Costs:

\$ 222

Restitution:

\$ N/A

Restitution Payable to:☐ VICTIM (see below) ☐ AGENCY/AGENT (see below)Time

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

Credited: 9 DAYS NOTES: TOWARD INCARCERATION, FINE, AND COSTS

Driver's license is suspended for a period of N/A

☐ Family Violence:

The Court FINDS that Defendant was prosecuted for an offense under Title 5 of the Penal Code that involved family violence. TEX. CODE CRIM. PROC. art. 42.013.

☐ Weapon Forfeiture:

The Court FINDS that a law enforcement agency, namely , seized a weapon, namely , in connection with an offense involving the use of a weapon or an offense under Chapter 46 of the Penal Code. The Court FINDS that 1) Defendant has been previously convicted under Chapter 46 of the Penal

Name changed from

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Harris County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)☒ Defendant appeared in person with Counsel.☐ Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

RECORDER'S MEMORANDUM
This instrument is of poor quality

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

The Court FINDS Defendant committed the above offense and **ORDERS, ADJUDGES AND DECREES** that Defendant is **GUILTY** of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court **ORDERS** Defendant punished as indicated above. The Court **ORDERS** Defendant to pay all fines, court costs, and restitution as indicated above.

Punishment Options (select one)

☒ **County Jail—Confinement / Confinement in Lieu of Payment.** The Court **ORDERS** Defendant immediately committed to the custody of the Sheriff of Harris County, Texas on the date the sentence is to commence. Defendant shall be confined in the Harris County Jail for the period indicated above. The Court **ORDERS** that upon release from confinement, Defendant shall proceed immediately to the Harris County District Clerk's office. Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

☐ **Fine Only Payment.** The punishment assessed against Defendant is for a FINE ONLY. The Court **ORDERS** Defendant to proceed immediately to the Office of the Harris County District Clerk. Once there, the Court **ORDERS** Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

☒ The Court **ORDERS** Defendant's sentence **EXECUTED**.

☐ The Court **ORDERS** Defendant's sentence of confinement **SUSPENDED**. The Court **ORDERS** Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court **ORDERS** that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

Signed and entered on July 02, 2013

William Harmon
WILLIAM HARMON
 JUDGE PRESIDING

Community Supervision Expires On:

Ntc Appeal Filed: _____ Mandate Rec'd:

After Mandate Received, Sentence to Begin Date is: _____

Def. Received on _____ at _____ AM / PM

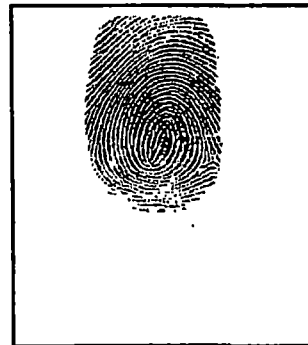
By: _____, Deputy Sheriff of Harris County

Clerk: A JEREZ

Case Number: 190429301010

Defendant: ADEYINKA, EMMANUEL ADEWALE

EN/KR23: 9940 LCBT: 99 LCBU: ✓



Right Thumbprint